

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 7044 of 1998

For Approval and Signature:

Hon'ble MR.JUSTICE M.S.PARIKH

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1. Whether Reporters of Local Papers may be allowed to see the judgements?
2. To be referred to the Reporter or not?
3. Whether Their Lordships wish to see the fair copy of the judgement?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge?

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MOHMMAD AZAZKHAN

Versus

DISTRICT MAGISTRATE

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Appearance:

MR IS SUPEHIA for Petitioner

MR VB GHARANIA, AGP for Respondent No. 1, 2

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CORAM : MR.JUSTICE M.S.PARIKH

Date of decision: 21/09/98

ORAL JUDGEMENT

Rule. Service of rule waived by Mr. V.B. Gharania, Ld. AGP for the respondents.

2. Mr. Gharania, Ld. AGP submits that the petitioner is alleged to be indulging in permitting the activities which are objectionable under the provisions of the Bombay Prevention of Gambling Act. He, therefore,

submits that if the petitioner gives undertaking before the police authorities that no such activities will be either carried on or allowed to be carried on in the Anand Mela, the concerned authorities will consider the request of the petitioner for grant of permission as prayed for in this petition. The petitioner will accordingly give undertaking to the concerned police authority, namely the District Police Officer to the effect that the petitioner will not carry on or allowed to be carried on any objectionable activity or any activity prohibited under the provisions of any law or Prevention of Gambling Act. A copy of such an undertaking shall be filed in this Court. Upon filing of such an undertaking before the concerned Police Officer as well as filing of a copy of such an undertaking in this Court, the respondent no. 1 will consider for issuance of necessary permission to the petitioner immediately.

Subject to the above, notice is discharged. No order as to cost.

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\*\*PVR\*\* sca704498j.